

Attorney Docket No. 9314-16

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Sandeep Chennakeshu

Conf. No.: 6705

Serial No.: 10/655,422

Art Unit: 2635

Filed: September 4, 2003

Examiner: Oschta I. Montoya

For: METHODS, DEVICES, AND SYSTEMS FOR DISPLAYING INFORMATION FROM
A REMOTE ELECTRONIC DEVICE

DECLARATION PURSUANT TO 37 C.F.R. §1.131

Sir:

I, Sandeep Chennakeshu, hereby declare and say that:

1. I am the named inventor of the subject matter of the subject matter of Application Serial No. 10/655,422, filed on September 4, 2003 (hereafter the "patent application").

2. Prior to March 4, 2003, I conceived in the United States the subject matter of at least the independent claims (Claims 1, 11, 16, 24, 30, and 33) currently pending in the patent application.

3. In support of the above statement of Section 2, I hereby submit as **Appendix A** a letter from Scott C. Hatfield of the Myers Bigel Sibley & Sajovec, P.A. law firm (hereinafter "MBSS") dated September 4, 2002, forwarding a draft of the patent application. As **Appendix B**, I hereby submit e-mail correspondence showing communications relating to the application from forwarding the draft of the patent application on September 4, 2002, till filing the provisional application on March 10, 2003. As **Appendix C**, I hereby submit an e-mail communication confirming that the provisional application was filed to establish a priority date based on the draft sent on September 4, 2002.

4. The disclosure of the draft patent application of September 4, 2006 (which was the same as that filed as the provisional application), establishes that the subject matter of at least independent Claims 1, 11, 16, 24, 30, and 33 was conceived before March 4, 2003.

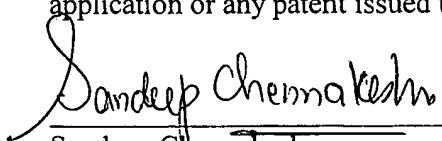
In re: Sandeep Chennakeshu
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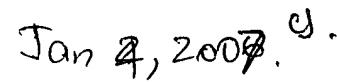
5. Due diligence was exercised from prior to March 4, 2003, to the filing of the provisional patent application on March 10, 2003.

6. In support of the above statement of Section 5, I refer to the e-mail communications of January 23, 2003, February 11, 2003, and February 20, 2003 included with **Appendix B**, and the filing of the provisional application on March 10, 2003.

7. In summary, my statements herein and the documents I have concurrently submitted show conception of the invention prior to March 4, 2003, coupled with due diligence from prior to March 4, 2003, to the filing of the patent application on March 10, 2003.

8. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true. I further declare that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Sandeep Chennakeshu


Date



Myers Bigel Sibley & Sajovec, P.A.

September 4, 2002

PO Box 37428
Raleigh, NC 27627

Suite 250
111 Corning Road
Cary, NC 27511

P: (919) 854-1400

F: (919) 854-1401

www.myersbigel.com

Sandeep Chennakeshu
c/o William O. Camp, Jr.
Sony Ericsson Mobile Communications (USA) Inc.
7001 Development Drive
Research Triangle Park, NC 27709

RE: Patent Application for
*Methods, Devices, And Systems For Displaying Information From A
Remote Electronic Device*
SEMC Dkt. U02 0083; Our File 9314-16

Dear Sandeep:

Enclosed is an initial draft of a patent application directed to the above-identified invention for your review. This is only a draft, so feel free to make additions, deletions, substitutions, and the like.

As you know, it is essential that the patent application, as filed, be technically accurate and complete, and that it set forth the best mode of carrying out the invention, because new matter may not be added to the descriptive portion after filing. We therefore ask that you carefully review the draft for technical accuracy and completeness, and advise us of any suggested changes or corrections. Your changes and suggestions will be carefully considered in the preparation of the final draft.

Out of an abundance of caution, we are requesting that you confirm that the proper inventive entity has been identified for the claimed invention. As you may be aware, inventorship is determined by the subject matter of the claimed invention. Generally stated, to be an inventor one must have made an actual contribution to the conception of the operative invention that is claimed. There may be joint inventorship even though the joint inventors (a) did not work physically together or at the same time, (b) did not make an equal contribution, or (c) did not make a contribution to the subject matter of every claim of the patent. A worker who merely carries out the instructions of another or only provides implementing devices to carry out another's ideas where the effort to do so is the exercise of one of ordinary skill is not typically an inventor. Further, persons listed as contributing to an article describing or related to the invention are not necessarily inventors. Please feel free to call with any questions that you may have on this issue.

We would also like to point out that an inventor is required to make a Declaration when the inventor's application is filed in the U.S. Patent and Trademark Office (USPTO), acknowledging a duty to disclose information of which the inventor is aware and which may be considered to be material to the examination of the application. "Material" in this respect is defined as information that a reasonable examiner would likely consider

Sandeep Chennakeshu
c/o William O. Camp, Jr.
September 4, 2002
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important in deciding whether to issue a patent. "Material" information as defined above may possibly include devices, products, publications, etc. that are similar to the invention and were publicly known before the invention, and it may also include any public disclosure, commercial use, or offer of sale of the invention more than one year prior to the filing date of the application. The USPTO encourages applicants to carefully examine 1) prior art cited in search reports of a foreign patent office in a counterpart application and 2) the closest information over which it is believed any pending claim patentably defines to ensure that any "material" information contained therein is disclosed to the USPTO.

If you are aware of any information that you believe might be considered "material," it is important that it be brought to our attention as soon as possible. Submission of material information more than three months after filing or after receipt of the first Office Action (whichever is later) requires payment of a fee. In addition, late submission of material information may protract prosecution of this application and result in a forfeiture of potential patent term extension. Accordingly, we request that you provide us with any material references of which you are aware as soon as conveniently possible. We can then make a determination whether the information should be brought to the attention of the Patent and Trademark Office under the applicable rules. Please also be aware that the duty to disclose "material" information continues throughout pendency of the application, until the application issues as a patent.

You should also be aware that certain activities either in the United States or foreign countries prior to filing of the application in the United States may have a bearing on the ability to file corresponding applications in foreign countries under the applicable international treaty. These activities could include public disclosure of the invention in either written or oral form, such as published articles, patents, product announcements, and proposals, as well as through commercial exploitation of the invention, including public demonstrations, offers to sell, and sale of products incorporating the invention. If you would like to preserve your right to file corresponding foreign applications on this invention, we recommend that all such activities be avoided until the U.S. application is on file.

Pursuant to recent changes in the law, a U.S. application will be published approximately eighteen months after the earliest priority date to which the application is entitled, unless a specific non-publication request is made. Publication may in some circumstances provide additional infringement damages. There are additional fees associated with publication and third parties may submit references against the published application to the Patent Office. A request to not publish the application must be filed at the time of filing the application and must include a certification that the invention has not and will not be the subject of an application filed in a foreign country (e.g., under an international agreement such as the PCT) that requires eighteen-month publication. If you later wish to file an application in a foreign country, we must promptly rescind the non-publication request to avoid abandonment of the application. A request to withhold publication will incur additional fees and expenses. If you would like for us to file a

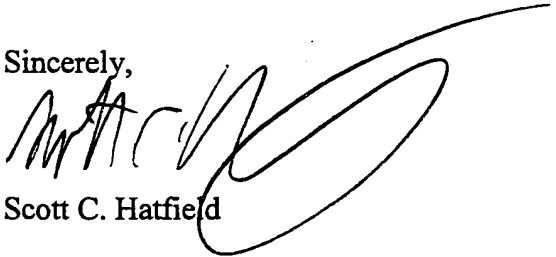
Sandeep Chennakeshu
c/o William O. Camp, Jr.
September 4, 2002
Page 3

request to prevent publication of the application, please inform us immediately in writing. We will not request non-publication of the application unless you instruct us to do so.

Once you have had an opportunity to review the draft application, please let me know as soon as possible. As always, please feel free to call us with any questions that you may have.

Best regards.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott C. Hatfield', with a large, sweeping loop at the end.

Scott C. Hatfield

SCH/#272178v1

Hatfield, Scott

From: Camp Jr, William O [Bill.Camp@sonyericsson.com]
Sent: Friday, September 20, 2002 8:18 AM
To: Hatfield, Scott
Subject: RE: SEMC Doc. No. U02 0083; MBSS Doc. No. 9314-16; "Methods, Devices, And Systems For Displaying Information From A Remote Electronic Device"

Scott,
Yes, received it, but I cannot get to it for a while.
Maybe 2 weeks.
Bill

-----Original Message-----

From: Hatfield, Scott [mailto:shatfield@myersbigel.com]
Sent: Friday, September 20, 2002 8:00 AM
To: Camp Jr, William O
Subject: SEMC Doc. No. U02 0083; MBSS Doc. No. 9314-16; "Methods, Devices, And Systems For Displaying Information From A Remote Electronic Device"

Hi Bill:

Please confirm that the draft of the above referenced application has been received. The draft was sent out on September 4, 2002. As you will recall, Sandeep Chennakeshu is the inventor, and you are acting as the SonyEricsson interface.

Once I receive comments, I will forward a final draft of the application for inventor signature before filing.

Best regards.

Scott C. Hatfield
Myers Bigel Sibley & Sajovec, P.A.

Hatfield, Scott

From: Camp Jr, William O [Bill.Camp@sonyericsson.com]
Sent: Friday, October 11, 2002 12:02 PM
To: Hatfield, Scott
Subject: RE: SEMC Doc.No. U02 0083; MBSS Doc.No.9314-16; "Methods, Devices, And Systems For Displaying Information From A Remote Electronic Device"

Hi Scott,
I am about half way through it.
Shortly.
Bill

-----Original Message-----

From: Hatfield, Scott [mailto:shatfield@myersbigel.com]
Sent: Monday, October 07, 2002 5:37 PM
To: Camp Jr, William O
Subject: Re: SEMC Doc.No. U02 0083; MBSS Doc.No.9314-16; "Methods, Devices, And Systems For Displaying Information From A Remote Electronic Device"

Hi Bill:

I just wanted to follow up on the status of this application. Once you and Sandeep approve, this application should be ready to file.

Best regards.

Scott C. Hatfield
Myers Bigel Sibley & Sajovec, P.A.

Hatfield, Scott

From: Camp Jr, William O [Bill.Camp@sonyericsson.com]
Sent: Friday, October 11, 2002 5:00 PM
To: Camp Jr, William O; Hatfield, Scott
Subject: RE: SEMC Doc.No. U02 0083; MBSS Doc.No.9314-16; "Methods, Devices, And Systems For Displaying Information From A Remote Electronic Device"

Scott,
I went through it, making minor corrections.
Mostly to do with combining the video signals in addition
to selecting between them. Like a video box inside the
second image.
Sandeep has it now, and he has to review it.
Thanks
Bill

-----Original Message-----

From: Camp Jr, William O
Sent: Friday, October 11, 2002 12:02 PM
To: 'Hatfield, Scott'
Subject: RE: SEMC Doc.No. U02 0083; MBSS Doc.No.9314-16; "Methods, Devices, And Systems For Displaying Information From A Remote Electronic Device"

Hi Scott,
I am about half way through it.
Shortly.
Bill

-----Original Message-----

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Subject: Re: SEMC Doc.No. U02 0083; MBSS Doc.No.9314-16; "Methods, Devices, And Systems For Displaying Information From A Remote Electronic Device"

Hi Bill:

I just wanted to follow up on the status of this application. Once you and Sandeep approve, this application should be ready to file.

Best regards.

Scott C. Hatfield
Myers Bigel Sibley & Sajovec, P.A.

Hatfield, Scott

From: Chennakeshu, Sandeep [Sandeep.Chennakeshu@sonyericsson.com]
Sent: Monday, December 23, 2002 4:32 PM
To: Camp Jr, William O
Cc: Hatfield, Scott
Subject: RE: Filing

Bill

I have not had the time, due to travel, and will try and look this over the holidays. Plan to take a few days vacation.

Best regards
sandeep

-----Original Message-----

From: Camp Jr, William O
Sent: Monday, December 23, 2002 8:49 AM
To: Chennakeshu, Sandeep
Subject: Filing

Hi Sandeep,
Scott Hatfield of Myers, Bigel was inquiring recently about the following patent filing draft, SEMC Doc.No. U02 0083; MBSS Doc.No.9314-16; "Methods, Devices, And Systems For Displaying Information From A Remote Electronic Device"

I had made minor modifications and passed it to you about 2-3 months ago. If you do not have any changes, he is ready to file it for you. I will attach his email address if you wish to communicate with him directly.

Thanks
Bill

12/30/2002

Hatfield, Scott

From: Hatfield, Scott
Sent: Thursday, January 23, 2003 3:41 PM
To: 'debra.stephens@sonyericsson.com'
Cc: Glatz, Robert
Subject: FW: Filing - SEMC Doc.No. U02 0083; MBSS Doc.No.9314-16; "Methods, Devices, And Systems For Displaying Information From A Remote Electronic Device"

Hi Debra:

Do you have any suggestions to get this application moving? The draft application was sent out for inventor review last September. If Sandeep is not able to review the applicaiton in the near future, you may wish to file the draft as a provisional applicaiton to try to preserve a priority date.

Thank you.

Scott C. Hatfield
Myers Bigel Sibley & Sajovec, P.A.

-----Original Message-----

From: Chennakeshu, Sandeep [mailto:Sandeep.Chennakeshu@sonyericsson.com]
Sent: Monday, December 23, 2002 4:32 PM
To: Camp Jr, William O
Cc: Hatfield, Scott
Subject: RE: Filing

Bill

I have not had the time, due to travel, and will try and look this over the holidays. Plan to take a few days vacation.

Best regards
sandeep

-----Original Message-----

From: Camp Jr, William O
Sent: Monday, December 23, 2002 8:49 AM
To: Chennakeshu, Sandeep
Subject: Filing

Hi Sandeep,
Scott Hatfield of Myers, Bigel was inquiring recently about the following patent filing draft, SEMC Doc.No. U02 0083; MBSS Doc.No.9314-16; "Methods, Devices, And Systems For Displaying Information From A Remote Electronic Device"

I had made minor modifications and passed it to you about 2-3 months ago. If you do not have any changes, he is ready to file it for you. I will attach his email address if you wish to communicate with him directly.

1/23/2003

Thanks
Bill

Hatfield, Scott

From: Hatfield, Scott
Sent: Tuesday, February 11, 2003 4:58 PM
To: 'debra.stephens@sonyericsson.com'
Cc: Glatz, Robert
Subject: SEMC Doc.No. U02 0083; MBSS Doc.No.9314-16; Methods, Devices, And Systems For Displaying Information From A Remote Electronic Device

Hi Debra:

This is the draft application for which I have been awaiting Sandeep's comments since September. I have looked at the draft, and confirm that it is complete. As we discussed, I can file the draft as a provisional application to preserve a priority date.

Please confirm by return e-mail that you wish for me to proceed with filing the draft applicaiton as a provisional.

In addition, Bob Glatz has another draft applicaiton that has been awaiting inventor comments for some time now. If you wish to proceed with provisional applicaitons in these situations, I will have Bob forward the particulars.

Best regards.

Scott C. Hatfield
Myers Bigel Sibley & Sajovec, P.A.

Hatfield, Scott

From: Hatfield, Scott
Sent: Thursday, February 20, 2003 11:37 AM
To: 'nancy.ferguson@sonyericsson.com'
Cc: Gregory, Carey; Glatz, Robert
Subject: SonyEricsson Ref. U02 0083; MBSS Ref. 9314-16; Applicaiton Entitled "Methods, Devices, And Systems For Displaying Information From A Remote Electronic Device"

Hi Nancy:

It is my understanding that you have requested an electronic copy of the draft applicaiton entitled "Methods, Devices, And Systems For Displaying Information From A Remote Electronic Device". An electronic copy is attached. I have also attached an electronic copy of our cover letter that we sent with the draft on September 4, 2002. Please note that I do not have electronic copies of the figures. If you want copies of the figures, I can fax them to you.

Please note that I do not have any particular questions for the inventor. I am only awaiting his approval of the draft and/or any comments/revisions before filing. If the inventor does have any comments and/or revisions, I will revise the draft accordingly.

Please feel free to contact me if you or the inventor should have any questions or comments. I look forward to recieving the inventor's comments so that I can proceed with filing the applicaiton.

Best regards.

Scott C. Hatfield
Myers Bigel Sibley & Sajovec, P.A.



9314-16_
Specification.DOC



9314-16_ Cvr Ltr
1st Draft Ap...

Hatfield, Scott

From: Hatfield, Scott
Sent: Thursday, May 01, 2003 7:47 AM
To: 'Debra.Stephens@sonyericsson.com'; 'Bill.Camp@sonyericsson.com'
Cc: Glatz, Robert
Subject: SEMC Doc.No. U02 0083; MBSS Ref. 9314-16: Methods, Devices, And Systems For Displaying Information From A Remote Electronic Device

Hi Debra and Bill:

As you will recall, we filed the above referenced provisional application to establish a priority date based on the draft sent to the inventor (Sandeep Chennakeshu) on September 4, 2002. If possible, I would like to proceed with inventor review/comments/approval so that I can finalize/revise (if necessary) and file the corresponding utility application. While the final deadline for filing the utility application is not immediate, I would like to complete and file the utility application while memories are still fresh.

Please let me know if there is anything I can do to facilitate inventor review. Otherwise, I will follow up with the normal course of letters reminding you of the deadline for filing the utility application.

Best regards.

Scott C. Hatfield
Myers Bigel Sibley & Sajovec, P.A.